

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MONA LISA HARRISON,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civ. Action No. 06-434-GMS
	)	
PATRICK RYAN,	)	
Warden, and ATTORNEY	)	
GENERAL OF THE STATE	)	
OF DELAWARE,	)	
	)	
Respondents.	)	

**ORDER**

At Wilmington this 14<sup>th</sup> day of Sept., 2007;

IT IS ORDERED that:


1. Petitioner Mona Lisa Harrison's motion for the appointment of counsel is **DENIED** without prejudice to renew. (D.I. 27)

Petitioners do not have an automatic constitutional or statutory right to representation in federal habeas proceedings. *See Coleman v. Thompson*, 501 U.S. 722, 752 (1991); *Reese v. Fulcomer*, 946 F.2d 247, 263 (3d Cir. 1991); *United States v. Roberson*, 194 F.3d 408, 415 n.5 (3d Cir. 1999). A court may, however, seek legal representation for a petitioner "upon a showing of special circumstances indicating the likelihood of substantial prejudice to [petitioner] resulting . . . from [petitioner's] probable inability without such assistance to present the facts and legal issues to the court in a complex but arguably meritorious case." *Tabron v. Grace*, 6 F.3d 147, 154 (3d Cir. 1993)(citing *Smith-Bey v. Petsock*, 741 F.2d 22, 26 (3d Cir. 1984); 18 U.S.C. §

3006A (a)(2)(B)(representation by counsel may be provided when a court determines that the “interests of justice so require”).

Here, Harrison requests the appointment of counsel because she lacks legal knowledge and feels that she will be “better served” if represented by an attorney. However, after reviewing Harrison’s motion and the documents filed in the instant proceeding, the court concludes that the case is not so factually or legally complex at this juncture that it requires the appointment of counsel. Harrison’s claims appear to be fairly “straightforward and capable of resolution on the record,” and Harrison appears to have a sufficient understanding of these issues to coherently present his case. *Parham v. Johnson*, 126 F.3d 454, 460 (3d Cir. 1997)(citations omitted). It also does not appear that expert testimony will be necessary or that the ultimate resolution of the petition will depend upon credibility determinations.

2. Harrison’s motion to proceed is **GRANTED**. (D.I. 28.)

  
UNITED STATES DISTRICT JUDGE